

REMARKS

Claims 1 and 6 remain pending in the application with the present amendment. Applicants submit that the amendments to the claims herein are enterable as addressing the prior objections to the claims under 35 U.S.C. §112, as well as reducing the number of issues under consideration and placing the application in a better condition for appeal.

With the present amendment, the term "real-time" used to describe data and a data transmission method has been deleted from the claims. This term first appeared in the claims with the August 24, 2005 amendment. As amended herein, claims 1 and 6 now recite "a data transmitting method for *isochronously* transmitting data", and "transmission data generating means for *isochronously* transmitting the data," respectively. These amendments are fully supported by the language at p. 18, lns. 19-21 of the Specification, as quoted in the final Office Action

the isochronous transmission (Iso-transmission) for transmitting data that should be transmitted in real-time, such as video data and audio data.

In the Office Action, claims 1 and 6 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,802,017 to Sato et al. ("Sato"). For the reasons set forth below, applicants respectfully submit that the presently presented claims are fully distinguished from Sato.

Claim 1 specifies that identification data is placed in a sub-label section of a unit having the predetermined data length, the sub-label section being set up between a label section and a data transmission section of the unit. The data in the data transmission section of each unit can be arranged with different spatial placements, e.g., with one or two bits per channel. The sub-label section would allow a device receiving the transmitted unit to quickly identify the spatial

placement of the data in the data transmission section so that data which is arranged as two bits per channel is not improperly received as one bit per channel data. Claim 1 is amended herein to more clearly recite that the identification data indicates a spatial placement of the data of the plurality of audio channels in the data transmission section of the unit. Examples of different spatial placements within the data transmission sections of units, e.g., whether one bit or two bits are used per audio channel and how such bits are used, are described with reference to FIGS. 15A through 15D and FIG. 16, *inter alia*, and in the specification at pp. 22-26.

By contrast, Sato neither teaches nor suggests identification data which indicates a spatial placement of data of a plurality of channels. The data in Sato's "OPR 1" section merely indicates an action to be performed, e.g., "whether audio recording is to be carried out." The OPR 1 data does not indicate a spatial placement of data for a plurality of audio channels. The data in the "OPR 1" section does not indicate a spatial placement of data for a plurality of audio channels in a data transmission section of a unit.

Claim 6 is amended in a manner similar to claim 1 and is submitted to be allowable over Sato on at least the same basis as claim 1.

Support for the present amendments is provided, *inter alia*, at pp. 22-26 of the Specification and in FIGS. 15A through 15D and FIG. 16.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908)

Application No.: 09/730,340

Docket No.: SONYJP 3.0-737

654-5000 in order to overcome any remaining objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 9, 2006

Respectfully submitted,

By 

Daryl K. Neff

Registration No. 38,253

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicants

629963_1.DOC